

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Elizabeth Rodriguez

Case No.

3:19-mj-05538-MAT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 1, 2019 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

21 USC 841(a)(1)

Offense Description

Defendant(s) did knowingly and intentionally possess with the intent to distribute approximately 35.38 kilograms (gross weight) of methamphetamine, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

I further state that I am a Homeland Security Investigations Special Agent and this complaint is based on the facts stated within the attached affidavit:

☒ Continued on the attached sheet.

Denise Anchondo
 Complainant's signature

Denise Anchondo, Special Agent
 Printed name and title

Sworn to before me and signed in my presence.

Date: 06/03/2019

Miguel A. Torres
 Judge's signature

City and state: El Paso, Texas

Miguel A. Torres, U.S. Magistrate Judge
 Printed name and title

AFFIDAVIT

On Saturday, June 1, 2019, at approximately 2:50 A.M., Elizabeth RODRIGUEZ entered the United States from Mexico at the Paso Del Norte (PDN) Port of Entry, El Paso, Texas. RODRIGUEZ was the passenger of a black 2005 Chevrolet Avalanche bearing New Mexico license plate AGDW27. The Chevrolet Avalanche was driven by RODRIGUEZ's husband, Gerardo Mendoza Cisneros.

Mendoza and RODRIGUEZ approached lane number 3 primary inspection booth. As the truck approached the primary inspection booth, United States Customs and Border Protection Officer (CBPO) A. Gonzalez observed there was a random computer-generated referral for a secondary inspection of the truck. Mendoza gave CBPO Gonzalez a negative declaration for merchandise. Mendoza stated they had gone to dance in Ciudad Juarez and were on their way home. CBPO Gonzalez referred the vehicle to the secondary inspection area for further inspection.

In secondary, Mendoza was instructed to drive the truck through the Z-Portal X-Ray Unit located at PDN. CBPO M. Lopez observed anomalies in side walls of the bed of the truck. CBPO Lopez informed CBPO C. Velazquez of the anomalies. CBPO Velazquez requested that Mendoza and RODRIGUEZ exit the truck while a K-9 inspection was conducted. CBPO Velazquez received a negative declaration from Mendoza. Mendoza stated he and RODRIGUEZ had gone to Ciudad Juarez for some drinks and dancing. Mendoza stated he was the owner of the truck, he was the only driver of the truck and he lived in Chaparral, New Mexico.

Canine Enforcement Officer (CEO) J. Lujan along with Narcotic Human Detector Dog (NHDD) "Senna" (#170147) were requested to inspect the truck. "Senna" (#170147) alerted positively to the trained odor of narcotics on the driver's side rear wheel well area. Mendoza and RODRIGUEZ were escorted to the Headhouse.

Further inspection of the truck revealed several cellophane wrapped bundles containing a white crystal-like substance concealed within both side walls of the bed of the truck. A random bundle was probed, and a sample of the white crystal-like substance was removed. The sample of the white crystal-like substance was field tested. The field test was positive for the properties of methamphetamine. A total of 75 bundles were removed from both side walls of the bed of the truck for a combined total weight of 35.38 kilograms/78.05 pounds (gross weight) of methamphetamine.

Homeland Security Investigations Special Agent (SA) Denise Anchondo and Norman Jurado arrived at the Paso Del Norte Port of Entry and began an investigation. SA Jurado read RODRIGUEZ her Miranda Statement of Rights in the Spanish language. RODRIGUEZ acknowledged in writing that she understood her rights and agreed to make a statement without the presence of an attorney. SA Anchondo and Jurado conducted an interview with RODRIGUEZ.

RODRIGUEZ stated she and Mendoza had separated approximately five to six months ago and she began a relationship with a Hispanic Male. During RODRIGUEZ's relationship with the

Hispanic Male, RODRIGUEZ sent the Hispanic Male risque pictures of herself. RODRIGUEZ ended the relationship with the Hispanic Male when she and Mendoza reunited.

After RODRIGUEZ ended the relationship with the Hispanic Male she continued to communicate with him via FaceBook. RODRIGUEZ told the Hispanic Male she planned to travel to Oklahoma to purchase items to sell. Upon hearing of RODRIGUEZ traveling to Oklahoma, the Hispanic Male instructed RODRIGUEZ that she was going to deliver something to Oklahoma for him. The Hispanic Male told RODRIGUEZ that if she declined he was going to show Mendoza the pictures she had previously sent to him. RODRIGUEZ knew she would be smuggling drugs from Mexico into the United States. RODRIGUEZ suspected she would be smuggling cocaine.

RODRIGUEZ and the Hispanic Male came up with a plan to utilize Mendoza's truck to smuggle drugs from Mexico to Oklahoma. The plan consisted in having the truck break down in Ciudad Juarez and leave the truck at Mendoza's father's house in Ciudad Juarez. The Hispanic Male told RODRIGUEZ that he would arrange for the mechanic who is a mutual acquaintance of the Hispanic Male and Mendoza to assist with building the compartment and concealing the drugs within the truck as he pretended to fix the truck for Mendoza. RODRIGUEZ stated Mendoza and his father were unaware of her drug smuggling venture on behalf of the Hispanic Male.

Approximately ten days prior to RODRIGUEZ being arrested at the Port of Entry, RODRIGUEZ and Mendoza traveled to Ciudad Juarez in the truck. RODRIGUEZ pulled an electrical component out from under the steering wheel without Mendoza seeing her which caused the truck to lose power. Mendoza and RODRIGUEZ left the truck at Mendoza's father's house to be checked by the mechanic from the neighborhood who was also a mutual acquaintance of the Hispanic Male. The Hispanic Male made arrangements for the mechanic to assist in building a compartment in the truck and concealed drugs within the truck. The mechanic kept the truck for ten days to build the compartment and load the drugs. The mechanic informed Mendoza that there was nothing wrong with the truck.

On Tuesday, May 28, 2019, the Hispanic Male contacted RODRIGUEZ and told her she needed to pick up the truck and cross it into the United States. On Friday, May 31, 2019, RODRIGUEZ asked Mendoza to take her dancing in Ciudad Juarez. Mendoza and RODRIGUEZ walked to Juarez and got a ride to pick up the truck at Mendoza's father's house. RODRIGUEZ and Mendoza went dancing and ate while in Ciudad Juarez. RODRIGUEZ and Mendoza then attempted to cross into the United States.

The Hispanic Male told RODRIGUEZ that once she successfully smuggled the drugs into the United States she was going to deliver the drugs to Oklahoma. The Hispanic Male instructed RODRIGUEZ that she would notify him once RODRIGUEZ arrived in Oklahoma and he would give her further instructions of where to deliver the drugs.

RODRIGUEZ provided a written statement detailing her involvement in the drug smuggling venture.